1 2 3 IN THE UNITED STATES DISTRICT COURT 4 FOR THE DISTRICT OF ARIZONA 5 IN RE BARD IVC FILTERS No. 2:15-MD-02641DGC PRODUCTS LIABILITY LITIGATION SECOND AMENDED MASTER 6 SHORT FORM COMPLAINT FOR DAMAGES FOR INDIVIDUAL 7 CLAIMS AND DEMAND FOR JURY **TRIAL** 8 Plaintiff(s) named below, for their Complaint against Defendants named below, 9 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364). 10 Plaintiff(s) further show the Court as follows: 11 1. Plaintiff/Deceased Party: 12 Mary Curtis 13 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of 14 consortium claim: 15 Charles Curtis 16 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, 17 conservator): 18 N/APlaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at 19 4. 20 the time of implant: 21 West Virginia 22

1	5.	Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
2		the time of injury:
3		West Virginia
4	6.	Plaintiff's current state(s) [if more than one Plaintiff] of residence:
5		West Virginia
6	7.	District Court and Division in which venue would be proper absent direct filing:
7		United States District Court for the Southern District of West Virginia
8	8.	Defendants (check Defendants against whom Complaint is made):
9		X C.R. Bard Inc.
10		X Bard Peripheral Vascular, Inc.
11	9.	Basis of Jurisdiction:
12		X Diversity of Citizenship
13		□ Other:
14		a. Other allegations of jurisdiction and venue not expressed in Master
15		Complaint:
16		
17		
18		
19	10.	Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a
20		claim (Check applicable Inferior Vena Cava Filter(s)):
21		□ Recovery [®] Vena Cava Filter
22		□ G2 [®] Vena Cava Filter

1		X	G2 [®] Express	s (G2 [®] X) Vena Cava Filter
2			Eclipse® Ver	na Cava Filter
3			Meridian® V	ena Cava Filter
4			Denali® Ven	a Cava Filter
5			Other:	
6	11.	Date of Implantation as to each product:		
7		Dece	ember 2, 2009	
8				
9	12.	Count	ts in the Maste	er Complaint brought by Plaintiff(s):
10		X	Count I:	Strict Products Liability – Manufacturing Defect
11		X	Count II:	Strict Products Liability – Information Defect (Failure to
12			Warn)	
13		X	Count III:	Strict Products Liability – Design Defect
14		X	Count IV:	Negligence - Design
15		X	Count V:	Negligence - Manufacture
16		X	Count VI:	Negligence – Failure to Recall/Retrofit
17		X	Count VII:	Negligence – Failure to Warn
18		X	Count VIII:	Negligent Misrepresentation
19		X	Count IX:	Negligence Per Se
20		X	Count X:	Breach of Express Warranty
21		X	Count XI:	Breach of Implied Warranty
22		X	Count XII:	Fraudulent Misrepresentation

1		X	Count XIII:	Fraudulent Concealment
2		X	Count XIV:	Violations of Applicable West Virginia (insert state)
3			Law Prohibit	ing Consumer Fraud and Unfair and Deceptive Trade
4			Practices	
5		X	Count XV:	Loss of Consortium
6			Count XVI:	Wrongful Death
7			Count XVII:	Survival
8		X	Punitive Dam	nages
9			Other(s):	(please state the facts supporting
10			this Count in	the space immediately below)
11				
12				
13				
14				
15				
16				
17	13.	Jury	Trial demande	d for all issues so triable?
18		X	Yes	
19			No	
20				
21				
$_{22}$				

1	RESPECTFULLY SUBMITTED this 6th day of February, 2019.
2	TAUTFEST BOND, PLLC
3	By: /s/ Monte Bond
4	Monte Bond Texas Bar No. 02585625
5	5151 Belt Line Road Suite 1000
	Dallas, TX 75254
6	Phone: (214) 617-9980 Fax: (214) 853-4281
7	By: /s/ Jessica Glitz
8	Jessica Glitz Texas Bar No. 24076095
9	5151 Belt Line Road Suite 1000
	Dallas, Texas 75254
10	Phone: (214) 617-9980 Fax: (214) 853-4281
11	Attorneys for the Plaintiff
12	I hereby certify that on this 6 th day of February, 2019, I electronically
12 13	I hereby certify that on this 6 th day of February, 2019, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for
13	transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.
13 14	transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing. /s/ Monte Bond
13 14 15	transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.
13 14 15 16	transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing. /s/ Monte Bond
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13 14 15 16 17 18	transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing. /s/ Monte Bond
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